

04/15/2008

10:39

LSI LOGIC CORP → 915712732885

NO.976 0001



FAX COVER SHEET

LSI Corporation
Legal Department - IP
1621 Barber Lane, MS D-106
Milpitas, CA 95035

Date April 15, 2008Number of pages including cover sheet 9To: US PTO, Mail Stop Issue FeeFrom: Connie del CastilloIntellectual Property ParalegalFax No. 571-273-2885Telephone No. (408) 433-7191

Phone No. _____

Fax No. (408) 433-7460

CC: _____

REMARKS:

Application Number: 10/771,588
Filing date: February 4, 2004
First named inventor: Karl Lu
Attorney docket number: 03-2373

Transmitted herewith for filing via facsimile:

- Part B – Fee(s) Transmittal PTOL-85 (in duplicate)
- Statement Under 37 CFR 3.73(b)
- Copy Certificate of Ownership and Merger

Pursuant to 37 C.F.R. 1.8, I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date indicated below:

Date

4/15/2008Connie del Castillo

Connie del Castillo

Please contact us at (408) 433-7191 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.

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10:39

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NO.976 D002

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"LSI SUBSIDIARY CORP.", A DELAWARE CORPORATION,
WITH AND INTO "LSI LOGIC CORPORATION" UNDER THE NAME OF "LSI CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FIFTH DAY OF APRIL, A.D. 2007, AT 8:09 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE SIXTH DAY OF APRIL, A.D. 2007.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2109844 8100M

070402663

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5568399

DATE: 04-05-07



10:39

LSI LOGIC CORP → 915712732885

NO.976 0003

State of Delaware
Secretary of State
Division of Corporations
Delivered 08:12 AM 04/05/2007
FILED 08:09 AM 04/05/2007
SRV 070402663 - 2109844 FILE

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

LSI SUBSIDIARY CORP.

WITH AND INTO

LSI LOGIC CORPORATION

Pursuant to Section 253 of the General Corporation Law of the State of Delaware

LSI Logic Corporation, a Delaware corporation ("LSI Logic" or the "Corporation"), HEREBY CERTIFIES AS FOLLOWS:

FIRST: LSI Logic is a corporation incorporated on December 5, 1986 pursuant to the General Corporation Law of the State of Delaware.

SECOND: LSI Logic owns all of the outstanding shares of capital stock of LSI Subsidiary Corp., a corporation incorporated on March 26, 2007 pursuant to the General Corporation Law of the State of Delaware ("Subsidiary").

THIRD: LSI Logic, by the following resolutions of its Board of Directors, duly adopted, at a meeting on April 2, 2007 and filed with the minutes of its Board of Directors, determined to merge Subsidiary with and into LSI Logic, and LSI Logic does hereby merge Subsidiary with and into LSI Logic effective as of the Effective Time (as defined below):

WHEREAS, LSI Logic owns all of the outstanding shares of capital stock of Subsidiary;

WHEREAS, LSI Logic desires, on behalf of itself and in its capacity as the sole stockholder of Subsidiary, to merge Subsidiary with and into LSI Logic pursuant to the provisions of Section 253 of the Delaware General Corporation Law; and

WHEREAS, it is intended that the merger of Subsidiary with and into LSI Logic will constitute a liquidation under Section 332 of the Internal Revenue Code and/or a reorganization under Section 368(a) of the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED, that Subsidiary merge (the "Merger") with and into the Corporation;

RESOLVED, that the Merger shall become effective on April 6, 2007 (the "Effective Time") upon the filing of a Certificate of Ownership and Merger with



the Secretary of State of the State of Delaware in accordance with the provisions of the Delaware General Corporation Law;

RESOLVED, that, at the Effective Time, Subsidiary shall be merged with and into the Corporation, the separate existence of Subsidiary shall cease, and the Corporation shall continue as the surviving corporation of the Merger, and the Corporation, without further action, shall possess all the properties, rights, privileges, powers and franchises, public and private, of both the Corporation and Subsidiary, and shall be subject to all debts, liabilities, obligations, restrictions, disabilities and duties of both the Corporation and Subsidiary;

RESOLVED, that the Restated Certificate of Incorporation of the Corporation, as in effect immediately prior to the Effective Time, shall remain the certificate of incorporation of the Corporation from and after the Effective Time, without change, until thereafter amended as provided by law or such certificate of incorporation; provided, however, that, effective as of the Effective Time, the name of the Corporation shall be changed from "LSI Logic Corporation" to "LSI Corporation" and Article I of the Restated Certificate of Incorporation of the Corporation shall be amended to read in its entirety as follows:

"1. The name of the corporation is LSI Corporation (the "Corporation")."

RESOLVED, that the by-laws of the Corporation, as in effect immediately prior to the Effective Time, shall remain the by-laws of the Corporation from and after the Effective Time, without change, until thereafter amended as provided by law, the certificate of incorporation of the Corporation or such by-laws;

RESOLVED, that the directors of the Corporation immediately prior to the Effective Time shall remain the directors of the Corporation from and after the Effective Time, without change, each to hold office in accordance with the certificate of incorporation and by-laws of the Corporation until their successors are duly elected or appointed and qualified or until their earlier, death, resignation or removal;

RESOLVED, that the officers of the Corporation immediately prior to the Effective Time shall remain the officers of the Corporation from and after the Effective Time, without change, each to hold office in accordance with the certificate of incorporation and by-laws of the Corporation until their successors are duly elected or appointed and qualified or until their earlier, death, resignation or removal;

RESOLVED, that, at the Effective Time, each issued and outstanding share of the Common Stock, par value \$0.01 per share, of Subsidiary ("Subsidiary Common Stock") held by the Corporation shall, without any action on the part of the Corporation or Subsidiary, be canceled without any conversion thereof or any consideration therefore and no payment or distribution shall be made with respect



thereto, and each issued and outstanding share of the Common Stock, par value \$0.01 per share, of the Corporation shall remain outstanding following the Effective Time without change;

RESOLVED, that officers of the Corporation be, and each of them acting alone hereby is, authorized to make, execute and file with the Secretary of State of the State of Delaware a Certificate of Ownership and Merger setting forth a copy of these resolutions providing for the Merger of Subsidiary with and into the Corporation and the Corporation's assumption of Subsidiary's obligations and the date of adoption thereof; and

RESOLVED, that officers of the Corporation be, and each of them acting alone hereby is, authorized to take all other actions and to prepare, execute, deliver and file all other agreements, instruments, documents and certificates in the name and on behalf of the Corporation and to pay all such fees and expenses as they, or any one of them, may deem necessary, proper or advisable in order to effect the Merger, and that any actions of any officer of the Corporation authorized by the foregoing resolutions or that would have been authorized by any of the foregoing resolutions except such actions were taken prior to the adoption of these resolutions be, and they hereby are, ratified, approved and confirmed as actions of the Corporation.

FOURTH: That anything herein or elsewhere to the contrary notwithstanding, the Merger may be amended or terminated and abandoned by the Board of Directors of LSI Logic at any time prior to the time that the Merger becomes effective.



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NO. 976 0006

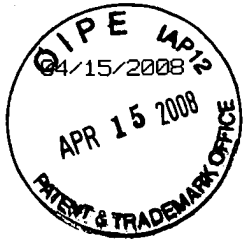
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IN WITNESS WHEREOF, LSI Logic has caused this Certificate of Ownership and Merger to be signed by a duly authorized officer, and attested by its Corporate Secretary, this 4th day of April, 2007.

By: Bryon Look
Name: Bryon Look
Title: Executive Vice President and Chief
Financial Officer

ATTEST:

By: Jean F. Rankin
Name: JEAN F. RANKIN
Title: EXECUTIVE VICE PRESIDENT
AND GENERAL COUNSEL



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NO. 976

0009

PTO/SB/96 (01-08)

Approved for use through 04/30/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: LSI Logic CorporationApplication No./Patent No.: 10/771,588 Filed/Issue Date: February 4, 2004Entitled: Safe method for upgrading firmware of optical disk productLSI LOGIC CORPORATIONa CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Karl Lu To: LSI Logic Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 014965, Frame 0023, or for which a copy thereof is attached.
2. From: LSI Logic Corporation To: LSI CORPORATION
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Timothy Croll, Reg. No. 36,771

Printed or Typed Name

Division IP Counsel & Assistant Corporate Secretary

Title

15 APR 08

Date

(408) 433-7625

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.